

REMARKS

1. *Status of the Application.* Claims 1-27 are cancelled herein without prejudice or disclaimer to the subject matter thereof.

In the parent application (United States Patent Application Serial No. 09/935,493, “the ‘493 Application”) to the present Application, the Examiner issued a restriction requirement and identified three groups. Pertinent here, the Examiner stated that for Group III: “Claims 28-46, [are] drawn to a method for making polymer-coated aggregates of single-wall carbon nanotubes, classified in class 427, subclass 212.” Office Action, mailed October 3, 2003, in the ‘493 Application, at 2 (“the ‘493 Patent Application Office Action”). The present Application is a divisional of the ‘493 Application and is directed to the claims of Group III, *i.e.*, Claims 28-46 of the ‘493 Patent Application.

New claims 47-50 have been added herein. Each of these new claims depend directly from one of Claims 28, 36, and 44, each of which is a claim in Group III.

All of the Claims 28-50 of the present Application are drawn to a method for making polymer-coated aggregates of single-wall carbon nanotubes. Accordingly, consonance is maintained between the subject matter required to be separated by the Examiner in the ‘493 Patent Application Office Action restriction requirement and the subject matter claimed in the present Application. *See Texas Instruments, Inc. v. United States Int’l Trade Comm’n*, 988 F.2d 1165, 1179, 26 U.S.P.Q.2d 1018, 1029 (Fed. Cir. 1993).

It is believed that each of the claims now pending in the present Application recites elements neither taught nor suggested by the prior art. Further, it is believed that the present Application as a whole is in proper form and condition for allowance. If the Examiner believes that the present Application may be placed in even better condition for allowance, he or she is invited to contact the undersigned at the telephone number noted below.

Respectfully submitted,

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